

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Joseph Montgomery Holliday Jr.

Docket No. 5:05-CR-275-1BO

Petition for Action on Supervised Release

COMES NOW Henry Ponton, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Joseph Montgomery Holliday Jr., who, upon an earlier plea of guilty to Possession of a Firearm by a Felon in violation of 18 U.S.C. §922(g)(1), was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on August 22, 2006, to the custody of the Bureau of Prisons for a term of 188 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

On April 29, 2008, a hearing was held before Your Honor on the Government's Motion for Reduction of Sentence Pursuant to Rule 35 of the Federal Rules of Criminal Procedure. The court found that the evidence presented at the hearing established that the defendant has provided substantial assistance to the government, and therefore modified his originally imposed sentence from 188 months to 150 months confinement with the Bureau of Prisons. Joseph Montgomery Holliday Jr. was released from custody on May 31, 2017, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The defendant provided a urine sample at Reality Counseling in Lumberton, North Carolina on August 31, 2017. The sample tested positive for cocaine and was sent to Alere Laboratories for confirmation testing. The sample was confirmed positive for cocaine on September 7, 2017. A field contact was conducted with the defendant at his employment on September 7, 2017. At that time, he signed an admission form confirming his use of cocaine.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 6 days, as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Eddie J. Smith
Eddie J. Smith
Supervising U.S. Probation Officer

/s/ Henry Ponton
Henry Ponton
U.S. Probation Officer
150 Rowan Street Suite 110
Fayetteville, NC 28301
Phone: 910-354-2536
Executed On: September 08, 2017

ORDER OF THE COURT

Considered and ordered this 16 day of September, 2017, and ordered filed and
made a part of the records in the above case.

Terrence Boyle
Terrence W. Boyle
U.S. District Judge